

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.15288 of 2007

Dated:23.07.2007

Between:

Borra Satyanarayana, S/o.Venkatappaiah,
and others.

...Petitioners

and

The Collector & District Magistrate,
Krishna, Machilipatnam,
and others.

...Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.15288 of 2007

ORDER:

The petitioners are residents of Polukonda Village of Nandivada Mandal in Krishna District. All of them, allegedly, own agricultural lands in the said Village. They allege that their land is a low lying area and the surrounding lands have already been converted into fish tanks. When there is a rain, due to seepage, their lands are getting submerged, resulting in loss of income. They, therefore, approached, the District Collector, Krishna District, first respondent herein, on 05.02.2007, requesting for permission to convert the agricultural lands into fish tanks, in vain. In this Writ Petition they seek such a direction.

As held by the Supreme Court in **S.Jagannath v. Union of India**^[1] and as held by a Division Bench of this Court in **Madireddy Padma Rambabu v. District Forest Officer, Kakinada**^[2], unless and until the competent authority permits conversion of agricultural lands into fish tanks, agricultural lands cannot be converted into fish tanks. Under the Andhra Pradesh Agricultural Land (Conversion for Non-agricultural purposes) Act, 2006, the Revenue Divisional Officer is the competent authority for ordering such conversion. Insofar as the conversion of agricultural lands into fish/prawn tanks is concerned, the Central Aqua Culture Authority, Chennai, is the duly constituted authority. Therefore, the District Collector has no such power. Having regard to this, the learned Counsel for the petitioners seeks permission

of this Court to withdraw the Writ Petition, and approach the appropriate authority.

Giving liberty to do so, the Writ Petition is dismissed as withdrawn. No costs.

(V.V.S.RAO, J)

23.07.2007

vs

[\[1\]](#) AIR 1997 SC 811

[\[2\]](#) 2002 (1) ALD 728 (DB)